

# Tendering Procedures

## Purpose & Guidelines

- 1.1 The purpose of this procedure is to support the formal tendering process and to ensure contracts entered into by the College are the most beneficial and are placed fairly and free from bias and prejudice.
- 1.2 The requirements of the OJEU tendering procedure should be adhered to, where relevant. If appropriate the OJEU processes should be adopted for significant purchases in excess of the minimum level that applies. Threshold rates (for the whole contract period) under the Public Sector Contracts Regulations (2015) are reviewed every two years (last was 1.1.16), current rates are:
  - Social & Other Services £589,148 (excl VAT)
  - Supply, services & design contracts £164,176 (excl VAT)
  - Works Contracts £4,104,394 (excl VAT)
- 1.3 No project fragmentation shall take place in order that the purchase of individual items could be made which would fall beneath the financial thresholds identified above.
- 1.4 Tendering procedures apply to all contracts entered into by the College where the total financial commitments of the College throughout the period of the contract exceed £75,000. Tenders for audit services will be in accordance with the ESFA's Approved Code of Practice
- 1.5 Prior to signing any contract for goods or annual services in excess of £75,000 the Executive Director - Finance & Commercial Development should be consulted to advise on whether independent legal advice should be sought prior to signing the contract. Only the Group Principal can sign these contracts on behalf of the College.
- 1.6 Contracts will be awarded by the College on the basis of economic advantage. The factors to be considered when placing the contract include full contract price, delivery terms, running costs, quality, aesthetic and functional characteristics, technical merit, after sales service and assistance. Where possible, contracts will be placed with suppliers from the recognised list of College suppliers. Locality should also be included as a factor for consideration. All being equal on price and quality, the College would prefer to use local suppliers

## 1. Procedure

- 2.1 Prior to issuing invitations to tender, the budget holder shall specify in writing the goods or services required. A Due Diligence check will be undertaken on all suppliers whom it is intended to invite to tender.

Owner: Head of Finance  
Approving Body: Policy Committee  
Stage of Approval: Approved  
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- 2.2 The budget holder shall then send invitations to tender to those suppliers on the approved list, detailing the following:-
- a. the goods or service required
  - b. the date by which the tender should be returned
  - c. the place and person to which tenders should be delivered
  - d. the form in which tenders must be submitted
  - e. the period for which the tender shall be open to acceptance by the College and must be held to be valid by the tenderer
- 2.3 All tenders received prior to the final tender date shall be kept, unopened in a safe place.
- 2.4 The date of receipt shall be recorded on the unopened tender envelope/package
- 2.5 Once the final date for receipt of tenders has passed, the relevant persons shall open and compare the tenders. All tenders shall be opened in the presence of at least two people who will complete and sign a Record of Tender Opening (Appendix A)
- 2.6 Technically late tenders (i.e those despatched in good time but delayed through no fault of the tenderer) may, at the discretion of the tender committee, be regarded as having been received in due time
- 2.7 The Tenderers will then be shortlisted and invited to present their tender to the tender committee which will include a member of the Board of Governors. In the case of audit services this presentation shall be to the Audit Committee of the Board of Governors. For payroll and banking services this presentation shall be to the Executive Director - Finance & Commercial Development and may include the Group Principal and representatives of the Board of Governors. Other presentations shall have present a Senior Manager and members of the Board of Governors as appropriate.
- 2.8 Final acceptance of all tenders will be approved by the Group Executive Team where the Group Principal's delegated authority has been exceeded as stated in the Financial Regulations.
- 2.9 All tenderers will be advised of the outcome as soon as practicable after the closing date for tenders.
- 2.10 Before signing a contract as a result of a tender, the budget holder shall confirm that all the details in the contract are identical to those in the accepted tender document. The budget holder shall be responsible for monitoring the performance and assessing the quality of the goods or service, once the tender has been accepted.

**APPENDIX A**

RECORD OF TENDER OPENING

Contract Tendered: \_\_\_\_\_

Date of contract commencement: \_\_\_\_\_

Pre-tender estimate of price: \_\_\_\_\_

Tenderer's Name and Address	Tender Price	Comments

Recommended Tenderer: \_\_\_\_\_

Reason: \_\_\_\_\_

SIGNED: \_\_\_\_\_ (Budget Holder)

WITNESS: \_\_\_\_\_ DATE: \_\_\_\_\_

TIME: \_\_\_\_\_

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